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VERBATIM RECORD OF THE SIXTEEN HUNDRED AND EIGHTY-SIXTH MEETING

Held at Headquarters, New York,
on Wednesday, 8 May 1991, at 10.30 a.m.

President: Mr. RICHARDSON (United Kingdom)

- Dissemination of information on the United Nations and the international trusteeship system in Trust Territories: report of the Secretary-General (continued)

- Offers by member States of study and training facilities for inhabitants of Trust Territories: report of the Secretary-General (continued)

- Cooperation with the Committee on the Elimination of Racial Discrimination

- Second Decade to Combat Racism and Racial Discrimination

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- Attainment of self-government or independence by the Trust Territories and the situation in Trust Territories with regard to the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

- Cooperation with the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

- Examination of petitions

- Examination of the annual report of the Administering Authority for the year ended 30 September 1990: Trust Territory of the Pacific Islands (continued)

- General debate

- Appointment of a drafting committee

- Organization of work

The meeting was called to order at 11.05 a.m.

DISSEMINATION OF INFORMATION ON THE UNITED NATIONS AND THE INTERNATIONAL TRUSTEESHIP SYSTEM IN TRUST TERRITORIES: REPORT OF THE SECRETARY-GENERAL (Trusteeship Council resolution 36 (III) and General Assembly resolution 754 (VIII) (T/1956) (continued)

The PRESIDENT: Before I begin I would like to express some concern about our late start. I hope very much that we can make an effort to begin on time, or reasonably on time, in future, and I shall threaten to take Draconian measures under rules of procedure that I have not yet invented.

The Council will now continue consideration of agenda item 7. In this connection I wish to welcome once again and thank Mr. Joe Sills, the representative of the Department of Public Information, for his participation.

The report of the Secretary-General on this item is contained in document T/1956. Does any member wish to put any further questions to the representative of the Department of Public Information on the report of the Secretary-General?

If not, I wish to take this opportunity to thank Mr. Sills once again for being with us and suggest that the Council take note of the report of the Secretary-General on dissemination of information on the United Nations and the International Trusteeship System, and that we conclude our consideration of this item.

It was so decided.

OFFERS BY MEMBER STATES OF STUDY AND TRAINING FACILITIES FOR INHABITANTS OF TRUST TERRITORIES: REPORT OF THE SECRETARY-GENERAL (General Assembly resolutions 557 (VI) and 753 (VIII) (T/1957) (continued)

The PRESIDENT: We shall now continue our consideration of agenda item 6. The report of the Secretary-General is contained in document T/1957. Does any member wish to comment on the report of the Secretary-General?

(The President)

As there are no speakers on this item, I propose that the Council decide to take note of the report of the Secretary-General (T/1957) and to conclude consideration of the item.

It was so decided.

COOPERATION WITH THE COMMITTEE ON THE ELIMINATION OF RACIAL DISCRIMINATION (General Assembly resolutions 2106 B (XX) and 45/88)

SECOND DECADE TO COMBAT RACISM AND RACIAL DISCRIMINATION (General Assembly resolutions 3057 (XXVIII) and 45/105)

The PRESIDENT: As agreed at our last meeting, the Council will now take up agenda items 8 and 9. May I, in this connection, suggest that the Council examine the two items together, as it has done in previous years. If I hear no comments, it will be so decided.

It was so decided.

The PRESIDENT: In this regard I understand that the Secretariat has provided each delegation with the relevant documentation and, in particular, copies of General Assembly resolutions 45/88 and 45/105.

Are there any comments concerning agenda items 8 and 9, which the Council has just decided to consider together?

Mr. BEREZOVSKY (Union of Soviet Socialist Republics) (interpretation from Russian): These two items are normally discussed at every session of the Trusteeship Council. We are aware that there have been several past decisions advocating cooperation among United Nations bodies for the benefit of Trust and other dependent Territories. Item 8 refers to cooperation between the Trusteeship Council and a United Nations body concerned with human rights; item 9 too refers to human rights.

The Soviet delegation attaches great importance to the expansion and strengthening of broad cooperation in this sphere among all countries and United Nations bodies. It is unfortunate that we are obliged to note that for several years no cooperation has been established between the Trusteeship Council and United Nations bodies dealing with human rights. We consider that such cooperation should be arranged.

That would not be difficult: all that is required is good will and organizational measures of some kind.

The PRESIDENT: As there are no further comments, I suggest that the Council continue its consideration of these items at its next meeting.

It was so decided.

ATTAINMENT OF SELF-GOVERNMENT OR INDEPENDENCE BY THE TRUST TERRITORIES (Trusteeship Council resolution 1369 (XVII) and General Assembly resolution 1413 (XIV)) AND THE SITUATION IN TRUST TERRITORIES WITH REGARD TO THE IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES (General Assembly resolutions 1514 (XV) and 45/34)

COOPERATION WITH THE SPECIAL COMMITTEE ON THE SITUATION WITH REGARD TO THE IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES (General Assembly resolution 1654 (XVI))

The PRESIDENT: As agreed by members of the Council at the 1685th meeting, held on 6 May, the Council will take up agenda items 10 and 11. In this connection, may I suggest that, in keeping with past practice, the Council examine these two items together as it has in previous years.

It was so decided.

The PRESIDENT: In this connection the Secretariat has provided each delegation with a copy of General Assembly resolution 45/34 adopted in 1990 by the General Assembly at its forty-fifth session.

Are there any comments on agenda items 9 and 10?

Mr. BEREZOVSKY (Union of Soviet Socialist Republics) (interpretation from Russian): Our comments on agenda items 9 and 10 are similar in thrust to those we have just made on cooperation in the sphere of human rights. Again, these are standard items which the Council is obliged to discuss.

It has long been true that an improvement in the functioning of the Trusteeship Council could come about through greater use of the potential and expertise of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples. Close, fruitful cooperation between the Council and the Special Committee on decolonization would only benefit the work of the Trusteeship Council. The decolonization Committee has great expertise of which the Trusteeship Council could take advantage in some aspects of its work.

The Special Committee on decolonization is prepared to cooperate with the Trusteeship Council, and I do not think there would be any special difficulty in having the Trusteeship Council invite the Chairman or another representative of the Special Committee to attend Council meetings; that representative could well make observations worthy of attention by the Trusteeship Council.

We believe that the Trusteeship Council and the Special Committee on decolonization could establish fruitful, businesslike cooperation that would certainly benefit colonial peoples.

The PRESIDENT: I might note in passing that the Trusteeship Council and the Special Committee now share the same secretariat, I believe for the first time. This is clearly something that will reinforce coordination in a de facto way.

As there are no further comments at this stage, I propose that, in accordance with its normal practice, the Council take a decision on these items following the adoption of its conclusions and recommendations.

It was so decided.

EXAMINATION OF PETITIONS (T/INF/39)

The PRESIDENT: The Council will now proceed to examine communications and petitions concerning the Trust Territory of the Pacific Islands.

Members of the Council will recall that, in 1988, the Council decided to request our Secretariat to publish a list of communications and petitions received, together with a summary of the contents. The list is contained in document T/INF/39. As agreed at our last meeting, we shall now begin consideration of these communications and petitions. In keeping with past practice, I would suggest that we consider these communications and petitions in groups.

I shall first address communications 1 to 5 contained in document T/INF/39. Does any member wish to comment on these communications?

Mr. BEREZOVSKY (Union of Soviet Socialist Republics) (interpretation from Russian): In connection with this group of written petitions, I should like to ask a question. I am not sure whether I should address it to you, Sir, or to the representative of the Administering Authority.

My question concerns how we are supposed to record our reactions to these petitions. Will there be some comments made by the representative of the Administering Authority - perhaps they were made immediately after the arrival of these petitions - or will they be commented upon by the representative of the Administering Authority during the current session? We would like to know, because if these petitions are being sent to the Trusteeship Council, the Council will have to react, and in the final analysis, respond in some way to the petitioners if the petitions require some response, or, in any case, show the petitioner that his or her petition has been received and considered, or that some other action has been taken concerning it by the Trusteeship

(Mr. Berezovsky, USSR)

Council. We come up against this almost every year, and every year we have to establish some sort of clear-cut procedure to make it possible to respond quickly.

The PRESIDENT: I believe that I can offer two comments at this stage.

The first is that, to my understanding, there is a distinction to be made between "communications", which we are now addressing, and "petitions". I am referring in this instance, of course, to written petitions, to which we shall come in a moment. The normal practice is that the Council draws the attention of petitioners to any observations that may be made by representatives in the Council or by the representative of the Administering Authority. Communications are essentially for our information.

My second observation, subject to correction, is that I understand that the representative of the United States as the Administering Authority does intend to comment on these petitions in the course of our deliberations today. But perhaps I will just seek confirmation of what I have said.

Mr. WILKINSON (United States of America): As has been our practice, which I believe has worked reasonably well in most recent years, my delegation as Administering Authority listened with attention and concern to the petitioners' statements that we heard in this Chamber the other day. We have examined those written petitions and have prepared a composite response, which I trust the members of the Council as well as the petitioners themselves will find responsive to their concerns. We are prepared to deliver it at an appropriate point in the proceedings.

The PRESIDENT: It seems to me most appropriate that we should hear any questions or observations by members of the Council on the petitions, so that if the representative of the Administering Authority so desires, he can

(The President)

take account of these in any remarks he will be making to us at a later stage in our proceedings.

If we may revert to communications 1 to 5, as I said it is my understanding that it is the customary practice in the Council that we do not ask questions on these communications. They are sent to us for our information and for our knowledge.

If that is acceptable, I will propose that the Council take note of communications 1 to 5, and proceed to communications 6 to 11. I propose that, subject to any observation by members of the Council, the Council likewise take note of communications 6 to 11 contained in document T/INF/39. May I take it that that is acceptable?

It was so decided.

The PRESIDENT: I suggest we now move on to petitions 1 to 10 contained on pages 4 and 5 of document T/INF 39. If there are no comments on these petitions, I propose that the Council decide to draw the attention of the petitioners to the observations to be made by the representatives of the Administering Authority and any other members at the current session, as appropriate.

It was so decided.

The PRESIDENT: I now turn to petitions 11 to 17 contained in document T/INF/39. If there are no comments, I propose that the Council decide to draw the attention of the petitioners to the observations to be made by the representatives of the Administering Authority and by other members of the current session, as appropriate.

It was so decided.

The PRESIDENT: As regards petitions 18 to 22, members will recall that their oral petitions were heard by the Council at its 1684th meeting, on 3 May. As regards petitions 23 and 24, it is my understanding that the petitioners concerned did not wish to speak but were ready to answer any questions put to them.

If no member of the Council wishes to intervene at this stage, I shall call on the representative of the United States, to hear the Administering Authority's observations on the written petitions before us.

Mr. WILKINSON (United States of America): The Administering Authority appreciates this opportunity to respond to the concerns raised by the petitioners.

I shall begin by reiterating that we regard the participation of the petitioners in the Council's sessions as integral to its success. Let me assure you, Mr. President, and the other members of the Council that we fully recognize the sincerity with which the petitioners have presented their views, and we will endeavour to take them into account in continuing to fulfil our responsibilities under the Charter of the United Nations and the Trusteeship Agreement.

Several of the petitioners who addressed the Council last week raised concerns about Secretary's Order No. 3142 - an Order by the Secretary of the Interior. This theme is also addressed in several of the written petitions. Some petitioners felt, in particular, that the Order representsd a step in the wrong direction, a "taking back" of fiscal and administrative responsibility from the Government of Palau. Others stated that the Order was part of a plan to force the Government and the people of Palau to accept the Compact by making life under the trusteeship difficult or unpleasant.

(Mr. Wilkinson, United States)

These fears are unfounded. The United States issued Secretary's Order No. 3142 solely to address particular problems that had been recurring in Palau in recent years in financial and administrative areas. Our primary goal in issuing the Order - which we did only after several meetings with the Palauan leadership - was to help Palau restore its fiscal credibility and to enable the United States to carry out its trusteehsip responsibilities in a more effective manner. We believe that once this is accomplished Palau will be in a much better position to move ahead in the post-trusteeship period.

We do not at all view the Order as "taking back" responsibility from the Government of Palau in any significant way. The Order simply enhances the ability of the Department of the Interior to oversee the implementation of fiscal and administrative policy in Palau and places certain requirements on Palauan expenditures and acquisition of further debt. Other provisions of the Order generally reaffirm existing arrangements between the Administering Authority and the Government of Palau, including review of Palauan legislation and management of foreign relations.

On the issue of foreign relations, one petitioner expressed concern about the requirement that Palau obtain the consent of the United States before engaging in contact with foreign States or international organizations. As the Council is aware, Palau does not yet enjoy international personality. It cannot, therefore, engage in the conduct of foreign relations in its own name and right. Instead, under the Trusteeship Agreement, the United States remains responsibile to other members of the international community for Palau's foreign activities. The requirement for Palau to obtain United States consent for intenational contacts accordingly flows from the responsibilities entrusted to the United States under the Trusteeship Agreement.

(Mr. Wilkinson, United States)

As a practical matter, however, the United States has approved every request for internationsl contact by Palau - and we have every intention to continue to do so. We simply must exercise our responsibility to oversee Palau's foreign contacts until the trusteeship itself is terminated.

Finally, we did not issue the Order in an effort to force approval of the Compact. As we have said consistently, the future political status of Palau is for the Palauans themselves to decide.

Several petitioners addressed issues of economic development in the Trust Territory. I would like to touch briefly on a few of the items raised. First, we would like to inform the Council that a technical assistance grant of $58,750 was made available from the Department of the Interior to contract with the University of Hawaii Pacific Business Center to assist developing small businesses in Palau.

In addition, the Department of the Interior funded a conference held in January of this Year in Palau the purpose of which was to bring together experts, particularly in the field of tourism and foreign investment, to assist Palau in planning for its expanding tourism industry.

We also note that the Administering Authority is actively working on improving Palau's infrastructure, which in turn will support further economic development. In particular, in fiscal year 1991, we have made $2.5 million available for repair and upgrading of the Palau/Anguar water systems. We have over $500,000 dedicated to the improvement of the Koror waste-water system and over $1 million available for repairs to roads and bridges. Those are just a few examples of infrastructure improvement projects being undertaken through the Operations and Maintenance Improvement Program, which we described to the Council last year and which has now been implemented.

(Mr. Wilkinson, United States)

In order to establish a good data base for future planning, the United States Bureau of the Census provided a grant for the training of Palauans in conducting a population census. The results of this effort should be available in the near future.

A future visiting mission to Palau will find several important changes. Since January and February 1990 there have been some new hotels opened. Shopping centres have expanded, including one - the Western Carolines Trading Company - which now is reported to be grossing nearly $4 million of business annually. New shopping centres have opened. Air Micronesia flies in with Boeing 727s from both the north and the south, sometimes twice a day, seven days a week. Flights are frequently filled to capacity. Tourists can connect from Manila or from Guam with the rest of the world.

We have provided the Council with the latest fisheries export data from the commercial private fishing industry. One company in Palau - PITI - even has its own Boeing 707 to fly its fresh fish to Japan on a regular basis.

(Mr. Wilkinson, United States)

One intriguing new sign of the times is found in the statistical summary on page 128 of our annual report. Under the heading of communications, it notes that there are now 70 fax machines, 22 telex subscribers and over 1200 television receivers in service. These are excellent barometers by which to gauge the level of economic and social development of a community of about 15,000 inhabitants.

Several comments were also made by petitioners alleging that there is a so-called welfare state of government employment, allegedly fostered by the Administering Authority. While it is true that a significant percentage of Palauan workers are employed in the public sector, it is our policy, as the Administering Authority, to promote the growth of the private sector, the engine of true development. We have made progress in this regard: in our annual report, we note on page 128 that there are now nearly twice as many workers in the private sector as in the public sector. This is a continuation of the growth of the private sector that we have been noting and reporting on for several years now, and which we hope to see continued and further expanded.

In reference to the increase of alien workers, I would call the attention of the Council to the fact that there is no unemployment in Palau in the standard, Western statistical sense. Mr. Uherbelau and I elaborated on that situation here on Monday. The net result is that if there is to be further development - and we project a continuation of the present, very hopeful upward curve - beyond what already exists, there will be a labour shortage that will have to be filled by outside recruits in order to get the job done.

It is our belief that our joint work with the Government of Palau in developing a master plan will help the responsible officials and agencies to

(Mr. Wilkinson, United States)

maximize the benefits to the people of Palau. The master plan will also provide a framework within which Palau can utilize alien labour to the best effect.

In spite of these advances, however, I believe it is important to point out once again that there is no accepted or mandatory objective standard of economic development that must be achieved before the trusteeship can be terminated. In fact, as far back as May of 1986, this Council adopted resolution 2183 (LIII) declaring that Palau, as well as the other parts of the then Trust Territory, was ready to assume the mantle of self-government. We believed they were ready then and we believe it even more now. For as long as the Trust Territory exists under that rubric, however, I can assure you that we will continue to carry out our responsibilities under the Trusteeship Agreement.

Another thought which surfaced in the statements by petitioners, and which has appeared in other contexts as well, is the suggestion that the United States has the intention of establishing a large military presence in Palau, or that the United States considers Palau as a viable alternative to United States military bases in the Asian area, should those we now have no longer be available.

I wish to restate as firmly and unequivocally as I can what I said in my opening statement, namely, that the United States has no bases at the present time in Palau and has no intention - no intention, Sir - of establishing any in the foreseeable future.

For a number of years we have maintained in Palau a team of 13 Navy personnel, who are engaged in the construction of small civil works projects, including schools, athletic facilities and similar activities as selected by a

(Mr. Wilkinson, United States)

local coordinating committee. The civic action team, which is unarmed, is in Palau at the invitation of the Government of Palau. Its equipment consists of bulldozers and other machinery needed for construction. This is, and will continue to be, the extent of the United States military presence in Palau.

It is true that under the Trusteeship Agreement we have the unrestricted right to establish military facilities, but we have never exercised that right and do not intend to do so in the future. The Compact of Free Association also would permit the United States to establish military facilities in connection with our responsibility for Palau's security and defence, but again, in the present situation, we do not intend to exercise that right even if the Compact should come into effect.

The PRESIDENT: I thank the representative of the Administering Authority for that very full statement.

I now propose to conclude our examination of the petitions under agenda item 5, on the understanding, naturally, that agenda item 4 remains open: that concerns both the questioning of the Administering Authority, which we began yesterday, and also the concluding statements, still under item 4, by the Administering Authority and by any other member of the Council wishing to intervene.

There will also, of course, be a further opportunity to discuss the underlying issues of these petitions when we commence our general debate. On that understanding, I therefore propose to conclude our consideration of agenda item 5 now.

It was so decided.

ITEM 4 (continued)

EXAMINATION OF THE ANNUAL REPORT OF THE ADMINISTERING AUTHORITY FOR THE YEAR ENDED 30 SEPTEMBER 1990: TRUST TERRITORY OF THE PACIFIC ISLANDS (continued)

The PRESIDENT: The Council will now resume its consideration of agenda item 4, and continue the examination of conditions in the Trust Territory of the Pacific Islands. This falls into two parts: first, the question of oral petitioners. I have been given to understand that none of the petitioners who addressed us on Friday are present in the Chamber, and I therefore propose to proceed to the second part of our consideration of this agenda item, namely, questioning of the representatives of the Administering Authority.

We had what I thought was a very full and useful exchange of questions and answers at our meeting yesterday, but I now throw the floor open in case any members of the Council wish to put further questions to the representatives of the Administering Authority.

I call on the representative of the United States.

Mr. WILKINSON (United States of America): Of course, I do not have any further questions that have been put to the Administering Authority, but with your permission I would ask you to call on Assistant Secretary Guerra to respond to a question put to us by the representative of the Soviet Union concerning Micronesian war claims, which we were unable to respond to immediately; we have now prepared a response, and with your permission, Assistant Secretary Guerra will deliver it.

The PRESIDENT: I call on Assistant Secretary Guerra.

Mrs. GUERRA (Special Adviser): I would like to provide further information in response to a question asked by the representative of the Soviet Union, concerning Micronesian war claims.

The Administering Authority has continued with an aggessive programme to complete payments under Title I of the Micronesian War Claims Act. To date, 91 per cent of the outstanding payments for Palau have been made; outstanding settlements, in cases where original beneficiaries are deceased or where other problems exist, are being processed with the cooperation of local government authorities.

Of the total award of $5,777,294 issued by the Micronesian Claims Commission to recipients in Palau, $5,245,882 have been paid to date. The Department of Interior, through its Trust Territory of the Pacific Islands office in Palau, will coordinate with local authorities processing the remainder of payments in a timely manner.

We hope that the representative of the Soviet Union will find this information of use.

The PRESIDENT: Thank you very much for this clarification.

I now invite any other member of the Council who wishes to put further questions to the Administering Authority to do so.

Mr. BEREZOVSKY (Union of Soviet Socialist Republics) (interpretation from Russian): First, I would like to thank the representative of the Administering Authority for the exhaustive answer to the question raised by the Soviet delegation at the last meeting. With your permission, Mr. President, there are a few more questions that I should like to put to the representative of the Administrative Authority in connection with the report on the situation in the Trust Territory.

In particular, on page 44 of part VII of the report, which deals with social advancement, it says that "Trust Territory inhabitants are guaranteed basic human rights". I must emphasize the words "basic human rights" that are used in the report. A question arises in that regard. Why, in this case, are only basic rights referred to? How do things then stand with other human rights and freedoms, which would seem not to be basic, for example, human rights which have been set forth in the Universal Declaration of Human Rights? Article 1, paragraph 3, of the Charter of the United Nations refers to human rights as a whole, without breaking them down into basic and subsidiary ones. By the way, the list of rights which is set forth in the report is significantly shorter than the list set forth in the Universal Declaration of Human Rights.

Generally speaking, the Trusteeship Council should probably have the text of the instruments governing human rights in the Trust Territory. I should like to know what machinery exists to protect human rights, and how it functions in the Trust Territory because, in general, the report does not go into that matter.

The PRESIDENT: I am given to understand by our secretariat that such basic information does indeed exist, although I am also told that it is somewhat bulky. Perhaps I could invite the representative of the United States to reflect on whether it would be possible in future annual reports to incorportate some of this information though, clearly, if it is going to be hundreds of pages long, I do not want to impose an unnecessary burden upon the Administering Authority.

Mr. WILKINSON (United States of America): Certainly, the information in terms of laws and existing machinery is readily available. We could respond to requests, and we will consider ways of improving our presentation in the next year. But at the moment, I appreciate the work that the secretariat does in maintaining, as it were, a reference library, which is readily available.

I would like to ask you, Mr. President, to recognize the legal adviser to the United States delegation, Mr. Balton, to comment on the somewhat technical question raised about the use of the word "basic" and the extent of the guarantees for the inhabitants of Palau.

Mr. BALTON (Adviser): It is my pleasure to attempt to address some of the questions that were raised by the representative of the Soviet Union concerning the guarantees of human rights to people in Palau. It is my recollection that a similar question came up last year. I hope that we can set this matter to rest.

Suffice it to say that the use of the word "basic" in describing the human rights and fundamental freedoms that are guaranteed to Palauans is not intended to be limiting in any way. It is, rather, a description of a general class of human rights that could be considered to be internationally

(Mr. Balton, Adviser)

recognized. As members of the Council are aware, I am sure, there is a great deal of philosophical debate over what constitutes human rights. There are certain human rights that are advocated as essential by some that are not accepted by others. There is no one commonly accepted class of human rights that everyone in the world agrees is essential. Nevertheless, the human rights that have been recognized by the United Nations in its documents pertaining to human rights are, in fact, guaranteed through the Palauan Constitution and the laws of the Palauan federal and state governments, as well as the Trust Territory Code, which still applies in some senses.

Similarly, I would like to say that the list of human rights that is set forth on page 44 of the United States report is not intended to be exhaustive, but merely illustrative. Perhaps it reflects a somewhat subjective view of which of the human rights might be considered the most important to warrant presentation here. But, as I have said, this is not an exhaustive list of all the rights that are guaranteed to Palauans.

The representative of the Soviet Union also asked what machinery exists in Palau for the enforcement of such rights. The answer is: very much the same sort of machinery that exists in most societies. The Palauan legislature and judiciary stand ready to take such measures as may be necessary to enforce the human rights to which the Palauans are entitled.

(Mr. Balton, Adviser)

I can say without any fear of contradiction that in particular the Palauan judiciary handles its share of human rights cases.

Finally, I can also say with assurance that United Nations documents pertaining to human rights are readily available in Palau, a fact to which I believe the Council's secretariat can attest. Perhaps more documents could be made available, but I understand that everyone in Palau has access to this information in one form or another.

I hope that this information is of use to the representative of the Soviet Union.

Mr. BEREZOVSKY (Union of Soviet Socialist Republics) (interpretation from Russian): I am grateful for the information we have been given in answer to our questions.

I now return to some comments made by others, including you, Sir. I wish to stress that the Soviet delegation is not trying to obtain a report three or four times longer than the report we have now. But the report should include some basic matters on such important issues as the population of the Trust Territory and how its human rights are guaranteed and observed.

Next I wish to refer to page 48 of the report, where there is a reference to a Memorandum of Understanding on preserving Micronesia's heritage in Palau. May we have further information on the Memorandum? What is its thrust, its essence?

The PRESIDENT: I understand that I inadvertently failed to recognize the representative of the United States on an earlier occasion, so if he wishes he may make two bites at this cherry.

Mr. WILKINSON (United States of America): Thank you, Mr. President. It was entirely my fault for not waving vigorously enough.

(Mr. Wilkinson, United States)

However, Sir, I would ask you to recognize Mr. Uherbelau of Palau so that he may take both bites, in one of which he may have a further comment on the preceding question about the human rights situation in Palau. I would also ask him to respond directly to the question that has just been put.

The PRESIDENT: I call on Mr. Uherbelau.

Mr. UHERBELAU (Special Adviser): I should like to wait for the Administering Authority to respond to the second question first, as I am not yet ready to address it.

I wish to say, by way of amplification with regard to the question put by the representative of the Soviet Union on basic human rights, that, as has already been said, the list is by no means exhaustive. It includes the following freedoms and basic human rights that are enjoyed in the Republic: freedom for private individuals to file a lawsuit against the Government or against the policies of the Administration; universal suffrage, which is enjoyed by all those 18 years and over; and compulsory education, guaranteeing education for all children up to the eighth grade. We also have subsidized medical and health care for our people, and we are, fortunately, free from apartheid or racial discrimination.

Mr. WILKINSON (United States of America): I am sorry that there has been a little confusion. When I spoke a minute ago I did not focus on the direct interest of the representative of the Soviet Union, the Memorandum of Understanding referred to on page 48, to which he drew our attention and which is now in final review. That is a very positive and good programme. I should like to ask you, Sir, to recognize Assistant Secretary Guerra to tell the Council of its thrust.

The PRESIDENT: I call on Mrs. Guerra.

Mrs. GUERRA (Special Adviser): The Department of the Interior's National Park Service is working with Palau through a technical assistance grant to identify those cultural areas that Palau would want to preserve and protect. The review is now taking place, and the programme, which is more of a long-term matter, will start to be implemented in Palau some time later this year.

Mr. BEREZOVSKY (Union of Soviet Socialist Republics) (interpretation from Russian): I thank the representatives of the Administering Authority for the information they have given us on the Memorandum of Understanding.

I have another question with regard to part VII. On page 62 we read that patients must pay 50 per cent of the cost of medical referrals. We are also told that no one is refused medical attention because he or she finds it impossible to pay for it. How is the matter dealt with? Is it possible for a disadvantaged person to receive medical assistance?

The PRESIDENT: I call on Mr. Uherbelau.

Mr. UHERBELAU (Special Adviser): I shall attempt to answer the question put by the representative of the Soviet Union. At the moment, Palau does not have any medical insurance system to cover all the people. Those who are insured are insured by public-insurance policies. Overall, as I said earlier, medical care is subsidized, so that patients have to bear only a very minimal cost for services.

For serious cases that cannot be treated in Palau hospital, we have had over the years - with the assistance of the Administering Authority - medical referral programmes for sending patients suffering from serious illnesses that cannot be treated locally to hospitals in Hawaii. Three or four years ago we instituted the same arrangement with Makati and St. Luke's hospitals in Manila, as the report indicates. Cases referred to those hospitals have to pledge that they will contribute 50 per cent of the cost of the medical care they will incur in hospitals in Hawaii or the Philippines.

As Ambassador Wilkinson mentioned the other day, we have an extended, family-type arrangement and we see to it that our relatives do not go hungry and that they are not left without a roof over their heads. We even help each other to buy houses. We also help each other pay off the medical bills of relatives who are sent abroad for care.

Mr. BEREZOVSKY (Union of Soviet Socialist Republics)(interpretation from Russian): Perhaps I did not listen carefully enough to the answer, but I am still not clear with regard to the situation. Am I correct in understanding that, in a case where the patient is unable to pay 50 per cent of the cost of his medical care, that patient is subsidized by the local authorities?

(Mr. Berezovsky, USSR)

I do understand that if an inhabitant of the Territory cannot pay his medical bills himself he can appeal to his relatives. That goes without saying and it happens everywhere. However, in my question I was referring to a more official approach to the situation, namely, in cases in which a person must be sent to a hospital in Hawaii or the Philippines and neither that person nor his family has the resources to pay for the treatment, does that person receive any sort of assistance in paying for his medical costs?

The PRESIDENT: I call on Mr. Uherbelau.

Mr. UHERBELAU (Special Adviser): I am sorry that my response to the question posed was insufficient. What I was attempting to get across was the fact that no one is refused any medical treatment, no matter how serious. If a person comes to the hospital, it is not a condition precedent to treatment that he pay whatever costs will be required for such treatment. Similarly, even though the patient referred for treatment overseas has to come up with 50 per cent of the cost, the treatment is rendered before he has to pay it, so that when a patient returns and has to pay 50 per cent of the treatment it may take 5 or 10 years for him to pay back to the Government his share of the cost. However, no one is denied any medical treatment or attention because of inability to pay the cost.

Mr. BEREZOVSKY (Union of Soviet Socialist Republics)(interpretation from Russian): We are now completely clear on this, and, indeed, there is a problem here that must be dealt with seriously, either by the local authorities or by the Administering Authority. They should consider how they might ensure medical care for the population in such a way that an individual whose life has been saved or prolonged on an emergency basis might be spared the eventuality of having to repay the cost for such care over the next 5 to 10 years.

(Mr. Berezovsky, USSR)

The Soviet delegation has no further questions to put to the Administering Authority for the time being.

The PRESIDENT: If no other member of the Council has any further questions, I suggest we continue consideration of this agenda item at our next meeting.

It was so decided.

GENERAL DEBATE

Mr. HARKIN (United Kingdom): The British Government has consistently supported the efforts of the people of the Trust Territory of the Pacific Islands to achieve whatever form of self-government meets their wishes and their particular circumstances. My delegation supported the adoption of Trusteeship Council resolution 2183 (LIII) in 1986, by which the Council recognized that the peoples of Micronesia had freely exercised their right to self-determination and had chosen either free association with the United States or Commonwealth status. We likewise voted in favour of Security Council resolution 683 (1990), which partially terminated the Trusteeship Agreement with respect to the Northern Mariana Islands, the Marshall Islands and the Federated States of Micronesia. We congratulate the peoples of those three States and promise them our full support.

The only subject of our discussions this year is, of course, the Republic of Palau. We have listened with interest to the statements of the representatives of the Administering Authority and of the Republic of Palau, particularly that of His Excellency the President of Palau. All in all we have been provided with a great deal of useful information on the Territory. We have studied carefully the latest comprehensive report of the Administering Authority. We have also been grateful to the petitioners for their additional contributions.

The overall picture is an encouraging one. The major question, that of Palau's future political status, remains unresolved. Whatever their views on the precise terms of the Compact of Free Association and its subsidiary agreements, in the 1990 plebiscite the majority of Palauans clearly favoured the continuation of a close relationship, such as free association, with the United States, the nation which as their Administering Authority has given

(Mr. Harkin, United Kingdom)

them generous assistance and guidance for over 40 years. But in general terms we are satisfied to note that the people of Palau continue effectively to govern themselves in accordance with their Constitution and have continued their advancement in the economic, social and educational fields.

We believe that the introduction of Secretarial Order 3142 was necessary in order for the Administering Authority to fulfil its obligations to the Trust Territory. Financial responsibility is crucial for any emerging economy, and it is prudent for the Administering Authority to take all necessary measures to ensure that it meets its responsibilities. My delegation hopes that the financial master development plan will bear fruit for the people of Palau.

We are encouraged by the continuing increase of tourism in Palau. Palau is a beautiful country above and below the water. There is much in Palau which continues to attract an increasing number of visitors and which, if developed wisely, will provide Palau with a lasting source of income. We are glad to see that tourism is already helping to boost the private sector of the economy and to decrease the worrying dependency of Palauans on government employment. We note in that respect that the number of people in government employment has fallen by 4 per cent. We hope that as it encourages the growth of the important tourism industry the Government of Palau will take steps to ensure that Palau's natural beauty, the very thing tourists come to discover, will not suffer as a consequence.

We are also encouraged by the progress reported in the field of fisheries. We know from the experience of British dependent Territories that revenue from licensing arrangements and the establishment of appropriate fishery-related enterprises can provide valuable income and employment. We

(Mr. Harkin, United Kingdom)

welcome the training and assistance being provided to Palau by the Administering Authority in the field of fisheries enforcement.

The representatives of Palau have spoken about their desire for economic self-reliance. There is a difficult balance to be struck here. It is certainly the case that the economy of Palau remains excessively dependent on annual infusions of funds from the Administering Authority. Much of the money goes towards vital improvements in the Territory's infrastructure. But capital projects are not cost-free. The running costs and maintenance of new roads or hospitals can be heavy, and Palau's own tax base is inadequate to finance these continuing costs, although we welcome the improvement in tax collections reported this year. It is particularly disturbing that imports have risen over the past year from $5 million to over $24 million without a commensurate increase in exports. If a self-sustaining economy - and therefore, I might add, a self-sustaining political system - is to be achieved, two approaches will be necessary: a hard look at new spending projects to ensure that they can be serviced after completion; and a growth in the local economy and therefore its tax base. In that connection, therefore, the development of activities such as tourism and fishing assume additional significance, as does an expansion of the private sector's share of the economy more generally.

We are encouraged also by developments in the social field. The campaign mounted by the Administering Authority in cooperation with the Government of Palau against a number of those involved in drugs trafficking has been a notable success. We are glad to note the continuation of other federal programmes, for example in the areas of health and education, which are helping to improve standards of living throughout Palau.

(Mr. Harkin, United Kingdom)

We hope that the current difficulties over Palau's future political status will soon be resolved. Palau is ready for self-government, as the Palauans themselves have amply demonstrated. The Trusteeship Agreement was never designed to last for ever, and it is certainly not in the best interests of the people of the Trust Territory that it should. We note that the Palauan leadership and people are now reviewing their options. We wish them all success and promise them our support in their efforts to determine at the earliest possible date a future poltical status that accords with their wishes. It is an anomaly that Palau should be under trusteeship, and that anomaly should be resolved.

Finally, my delegation would like to pay a tribute to those Palauans who loyally and courageously served with the United States forces which formed part of the coalition forces in the Persian Gulf.

The PRESIDENT: It is my understanding that other members of the Trusteeship Council wish to speak in the general debate at our next meeting; I encourage all other members to do so, so that the drafting committee can take full account of their views.

APPOINTMENT OF A DRAFTING COMMITTEE

The PRESIDENT: I have consulted informally with all members of the Council, and I should like to propose that the Council appoint a drafting committee whose terms of reference, as in the past, will be to prepare draft recommendations to be included in the forthcoming report of the Trusteeship Council to the Security Council. In the light of my consultations I should like to propose that the drafting committee be composed of the representatives of France and the United Kingdom. There appears to be no objection to that proposal.

It was so decided.

ORGANIZATION OF WORK

The PRESIDENT: I propose that the Council next meet tomorrow afternoon at 3.30 sharp; I encourage all members of the Council to be present at that time, because I think we shall have quite a full agenda.

At that meeting the Council will continue its consideration of agenda items 4, 6 and 8 to 11. It will then conclude the general debate, with statements from those members of the Council who have not yet spoken. We shall then hear the closing statement from the representative of the Administering Authority and any closing statements that other delegations may wish to make.

I take this opportunity to remind those members of the Council whose credentials have not yet been submitted that these should be submitted in due form as early as possible.

The meeting rose at 12.30 p.m.